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July 3, 2024

The request is granted. Defendant shall respond to the Complaint by August 12, 2024. The initial pre-trial conference is adjourned from July 24, 2024 to August 28, 2024 at 11:00 a.m.

VIA ECF


The Honorable Jennifer L. Rochon
United States District Court
500 Pearl Street, Room 1920
New York, NY 10007

Dated: July 3, 2024

New York, New York

SO ORDERED.

Re: *Guery v. DraftKings, Inc.*, Court File 1:24-cv-02921-JLR


JENNIFER L. ROCHON
United States District Judge

Dear Judge Rochon:

Pursuant to Your Honor's Individual Rule of Practice 1(F), Plaintiff Guery submits this joint letter motion to (1) adjourn the initial pretrial conference set for July 24, 2024, and (2) extend the deadline for Defendant DraftKings to respond to the Complaint, which is set for July 12, 2024.

DraftKings' response to the Complaint was initially due on May 20, 2024. *See* ECF No. 21. At DraftKings' request, the Court granted a first extension of this deadline, to June 28, 2024. *See* ECF No. 21. On June 20, 2024, DraftKings informed the Court that the parties were "discussing various threshold issues with the lawsuit that may assist them in narrowing or resolving the dispute," and it requested an additional two-week extension. *See* ECF No. 35. The Court granted that second extension of the deadline for DraftKings to respond to the Complaint, making the deadline July 12, 2024. *See* ECF No. 36.

The parties continue to investigate and discuss those threshold issues. Because those discussions could potentially obviate the need for motion practices or Court appearances, it would be more efficient for the parties to continue those discussions and extend the current deadlines. Therefore, the parties jointly request that the Court approve a 30-day extension of DraftKings' deadline to respond to the Complaint (August 12, 2024), and to adjourn the initial pretrial conference until after August 12, 2024.

The parties have conferred and agreed on the following three proposed dates for the pretrial conference:

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- August 27, 2024
- August 28, 2024
- August 29, 2024

The parties respectfully request that the Court approve this unopposed extension of time for DraftKings to respond to the Complaint to August 12, 2024. The parties further request that the Court adjourn the initial pretrial conference until after August 12, 2024.

Respectfully,

LOCKRIDGE GRINDAL NAUEN PLLP

/s/ Joseph C. Bourne

Joseph C. Bourne

Counsel for Plaintiff Samantha Guery

COBLENTZ PATCH DUFFY & BASS LLP

/s/ Rees F. Morgan

Rees F. Morgan

Counsel for Defendant DraftKings Inc.

JCB/brg
cc: All counsel of record (via ECF)